

Serial 59
Racing and Wagering Amendment Bill 2026
Ms Boothby

A Bill for an Act to amend the *Racing and Wagering Act 2024* and for related purposes

NORTHERN TERRITORY OF AUSTRALIA

RACING AND WAGERING AMENDMENT ACT 2026

Act No. [] of 2026

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NORTHERN TERRITORY OF AUSTRALIA

Act No. [] of 2026

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An Act to amend the *Racing and Wagering Act 2024* and for related purposes

[Assented to [] 2026]
[Introduced [] 2026]

The Legislative Assembly of the Northern Territory enacts as follows:

10 Part 1 Preliminary matters

1 Short title

This Act may be cited as the *Racing and Wagering Amendment Act 2026*.

2 Commencement

- 15 (1) Subject to subsection (2), this Act commences on the day fixed by the Administrator by *Gazette* notice.
- (2) If a provision of this Act does not commence before 9 March 2028, it commences on that day.

20 Part 2 Amendment of the Racing and Wagering Act 2024

3 Act amended

This Part amends the *Racing and Wagering Act 2024*.

4 Section 4 amended (Definitions)

(1) Section 4, definitions **disciplinary action**, **licence** and **licensee**
omit

(2) Section 4

5 *insert*

disciplinary action means disciplinary action mentioned in section 228(1) or (2).

eligible body corporate, see section 46A(1).

10 **licence** means a licence issued under this Act, other than a racecourse licence.

licensee means a person who holds a licence.

racecourse licence means a licence to operate premises as a racecourse issued under section 56.

(3) Section 4, definition **Commission**

15 *omit*

Racing and

5 Part 2, Division 2 heading amended

Part 2, Division 2, heading

omit

20 **Racing and**

insert

Northern Territory

6 Section 14 amended (Northern Territory Racing and Wagering Commission)

25 (1) Section 14, heading

omit

Northern Territory Racing and Wagering

insert

Establishment of

(2) Section 14(1)

omit

5

Racing and

7 Section 15 amended (Functions of Commission)

(1) Section 15(a)

omit

(2) Section 15(c)

10

omit

and take disciplinary action and other measures to enforce this Act

insert

as it relates to the wagering industry and take disciplinary action and other measures to enforce the provisions of this Act governing the wagering industry

15

8 Section 16 replaced

Section 16

repeal, insert

16 Powers of Commission

20

The Commission has the following powers:

(a) to request the Director to investigate or research matters relating to the administration or operation of this Act as it relates to the wagering industry;

25

(b) to determine applications for licences and to issue those licences in accordance with this Act;

(c) to determine positions or functions that require a key person licence;

(d) to give directions to:

(i) wagering licensees; and

-
- (ii) control bodies for sporting events;
- (e) to make guidelines for the effective regulation of the wagering industry;
- 5 (f) to issue rules for novelty wagers, declare sporting events and prohibit contingencies in relation to a sporting event;
- (g) to enter into agreements, memorandums of understanding and other arrangements with national and international regulators of, and authorities in, the wagering industry;
- 10 (h) to determine complaints, and take disciplinary action, in relation to wagering;
- (i) to hold hearings into wagering related matters and establish procedures and rules for those hearings;
- (j) to direct wagering licensees to implement consumer protection and harm minimisation measures related to the wagering industry;
- 15 (k) to provide educational and informative materials to wagering licensees and the public regarding the operation of this Act as it relates to wagering and compliance with the provisions of this Act governing wagering;
- 20 (l) any other power given to the Commission under this Act.

9 Section 17 amended (Delegation)

(1) Section 17(1)

omit

(2) Section 17(2)

25 *omit*

The Commission's powers and functions may be delegated

insert

The Commission may delegate any of its powers and functions

10 Section 19 amended (Eligibility to hold office)

(1) Section 19(1)(a)(i)

omit

the thoroughbred, harness or greyhound racing industries,

5 (2) Section 19(2)

omit

legal practitioner

insert

lawyer

10 (3) Section 19(3)(a)(i)

omit

(4) Section 19(3)(b)

omit, insert

15 (b) at any time within the previous 2 years owned or trained a greyhound involved in racing or was otherwise directly involved in greyhound racing, whether or not professionally or under a licence or registration; or

11 Sections 19A to 19C inserted

After section 19

20 *insert*

19A Member must not hold wagering account

A person appointed as a member of the Commission:

(a) must, within 5 business days after the person's appointment, close each account the person holds with a licensee; and

25 (b) must not open or hold an account with a licensee during the person's term of office.

19B Member must not own racing animal

- (1) A person appointed as a member of the Commission:
- (a) must, within 20 business days after the person's appointment, sell or otherwise dispose of each racing animal owned by the person and each interest held by the person in a racing animal; and
- (b) must not, during the person's term of office, acquire a racing animal or an interest in a racing animal.
- (2) In this section:

5

10

racing animal means an animal that is involved in thoroughbred racing, harness racing or greyhound racing.

19C Disclosure of interests to Minister

- (1) Within 10 business days after being appointed as a member of the Commission, the member must give the Minister written notice of each direct or indirect interest the member has that conflicts or may conflict with the member's functions.
- (2) If a member of the Commission acquires a direct or indirect interest that conflicts or may conflict with the member's functions, the member must give the Minister written notice of the interest within 5 business days after the acquisition.
- (3) An interest mentioned in subsection (1) or (2) does not include an interest that arises as a result of the supply of goods or services that are available to members of the public on the same terms and conditions.
- (4) The failure of a member of the Commission to comply with this section does not affect the validity of a decision of the Commission.

15

20

25

12 Section 21 amended (Term of office)

Section 21(2)

omit, insert

- (2) Subject to subsection (3), a member is eligible for reappointment.
- (3) Unless there are exceptional circumstances, a person cannot be reappointed as a member of the Commission if the reappointment would result in the person holding office as a member of the Commission for more than 6 years in total, whether or not through consecutive terms of office.

30

35

13 Section 23 amended (Vacancy in office)

(1) Section 23(1)(c), after "appointment"

insert

or to hold office

5 (2) Section 23(2)(b), after "section"

insert

19A, 19B, 19C or

14 Section 27 amended (Annual report)

Section 27(3)

10 *omit*

15 Section 30 replaced

Section 30

repeal, insert

30 Functions of Director

15 The Director has the following functions:

(a) to control, supervise and regulate the racing industry;

(b) to monitor compliance with this Act as it relates to the racing industry and take disciplinary action and other measures to enforce the provisions of this Act governing the racing industry;

20

(c) to prosecute persons for offences against this Act including on behalf of the Commission;

(d) to appoint and supervise inspectors and the performance of their functions;

25

(e) to appoint the Secretary to the Tribunal;

(f) to oversee the Racing and Wagering Fund;

(g) to carry out any other functions conferred on the Director under this Act or any other law of the Territory.

30A Powers of Director

(1) The Director has the following powers:

- (a) to investigate or research matters relating to the administration or operation of this Act as it relates to the racing industry;
- 5 (b) to determine applications for racecourse licences and to issue those licences in accordance with this Act;
- (c) to give directions to race control bodies;
- (d) to make guidelines for the effective regulation of the racing industry;
- 10 (e) to enter into agreements, memorandums of understanding and other arrangements with national and international regulators and authorities in the racing industry;
- (f) to conduct investigations into complaints about the racing industry, to determine those complaints and take disciplinary action;
- 15 (g) to provide educational and informative materials to the racing industry and the public regarding the operation of this Act as it relates to racing and compliance with the provisions of this Act governing racing;
- 20 (h) to investigate licence applicants and assess applications for licences for determination by the Commission;
- (i) to conduct investigations into complaints about licensees or other matters relating to the wagering industry under this Act for determination by the Commission;
- 25 (j) any other power given to the Director under this Act or necessary to perform the Director's functions.

(2) The Director also has the powers of an inspector.

16 Section 40 and Part 2, Division 5 heading replaced

Section 40 and Part 2, Division 5, heading

repeal, insert

Division 5 Miscellaneous matters**5 40 Cooling off period**

(1) For a period of 1 year after the day a person's appointment as a member of the Commission ends:

(a) the person must not work for a licensee, whether as an employee, contractor or otherwise; and

10 (b) a licensee must not engage the person to work for the licensee, whether as an employee, contractor or otherwise.

(2) For a period of 6 months after the day a person's appointment as the Director or an inspector ends:

15 (a) the person must not work for a licensee, whether as an employee, contractor or otherwise; and

(b) a licensee must not engage the person to work for the licensee, whether as an employee, contractor or otherwise.

17 Section 42 replaced

Section 42

20 *repeal, insert*

42 Wagering guidelines

(1) The Commission may make guidelines in relation to the operation and administration of this Act as it relates to the wagering industry.

25 (2) Without limiting subsection (1), the guidelines may relate to any of the following matters:

(a) applications for licences;

(b) compliance with and enforcement of this Act as it relates to the wagering industry;

30 (c) complaints and disciplinary actions in relation to the wagering industry.

-
- (3) The Commission must ensure that any guideline made under this section is published.

42A Racing guidelines

- 5 (1) The Director may make guidelines in relation to the operation and administration of this Act as it relates to the racing industry.

- (2) Without limiting subsection (1), the guidelines may relate to any of the following matters:

(a) applications for registration for race clubs;

(b) applications for racecourse licences;

10 (c) the obligations of race clubs and their agents and employees under this Act;

(d) compliance with and enforcement of this Act as it relates to the racing industry;

15 (e) complaints and disciplinary actions in relation to the racing industry.

- (3) The Director must ensure that any guideline made under this section is published.

18 Section 44 amended (Extending or abridging time)

After section 44(2)

20 *insert*

- (2A) Subsection (1) does not apply in relation to the time limit for lodging a complaint referred to in section 221(3).

19 Section 46 replaced

Section 46

25 *repeal, insert*

46 Race control body

- (1) The Minister may, by *Gazette* notice, appoint an eligible body corporate to be the race control body for one or more of the following:

30 (a) thoroughbred racing;

(b) harness racing;

(c) greyhound racing.

(2) The Minister may, by *Gazette* notice, appoint the Director to be the race control body for thoroughbred racing, harness racing or greyhound racing if:

- 5 (a) there is no suitable eligible body corporate for the purpose; or
- (b) the appointment of an eligible body corporate as the race control body is revoked for non-compliance with this Act.
- (3) The race control body exercises control over registered race clubs.

46A Eligible bodies corporate

10 (1) An ***eligible body corporate*** is a body corporate, each governing member of which meets the criteria determined under subsection (2).

15 (2) The Minister may, by *Gazette* notice, determine the criteria, including skills and experience, to be met by the governing members of a body corporate that is to be appointed to be a race control body.

(3) In this section:

governing member, of a body corporate, means any of the following:

- 20 (a) a member of the board or governing body (however described) of the body corporate;
- (b) the chief executive officer (however described) of the body corporate.

20 Section 48 amended (Powers of race control body)

25 (1) Section 48(2)(c), after "report"

insert

to the Director

(2) Section 48(2)(d)

omit

30 Commission

insert

Director

(3) After section 48(2)(e)

insert

5 (ea) to request the Director to investigate or research matters relating to the administration or operation of this Act as it relates to the racing industry;

21 Section 48A inserted

After section 48

10 *insert*

48A Charter

(1) The Minister may make a charter setting out the rights and responsibilities of a race control body.

15 (2) The Minister must give notice of the making of the charter in the *Gazette*.

(3) The notice must state:

(a) the date on which the charter takes effect; and

(b) where or by what means a person may inspect a copy of the charter.

20 (4) A race control body must perform its functions and exercise its powers in a manner that is consistent with the charter.

22 Section 50 replaced

Section 50

repeal, insert

25 50 Direction to race control body

(1) The Director may, in writing, direct a race control body appointed under section 46(1) in the exercise of its powers and the performance of its functions.

(2) A person commits an offence of strict liability if the person:

30 (a) is a race control body appointed under section 46(1); and

(b) is given a direction under subsection (1); and

(c) fails to take all reasonable steps to comply with the direction.

Maximum penalty: 50 penalty units.

5 (3) It is a defence to a prosecution for an offence against subsection (2) if the defendant has a reasonable excuse.

23 Section 52 amended (Enforcement of racing rules)

Section 52(7)

omit, insert

10 (7) A fine imposed under the racing rules for thoroughbred racing, harness racing or greyhound racing is a debt due and payable to:

(a) if the Director is the race control body for the relevant type of racing – the Territory; or

(b) otherwise – the race control body for the relevant type of racing.

15 24 Sections 56A and 56B inserted

After section 56

insert

56A Term of racecourse licence

The term of a racecourse licence is:

20 (a) the period prescribed by regulation; or

(b) any shorter period imposed by the Director.

56B Renewal of racecourse licence

(1) A race club may apply to the Director to renew a racecourse licence.

25 (2) The application must be:

(a) in the approved form; and

(b) accompanied by the prescribed fee.

(3) The Director may renew the racecourse licence if satisfied that the racecourse to which the licence relates:

(a) is financially sustainable, including having appropriate public liability insurance; and

5 (b) complies with any requirements prescribed by regulation.

(4) The Director must give the race club a decision notice as soon as practicable after making a decision on the application.

10 (5) If an application to renew a racecourse licence is made before the term of the licence expires, the licence continues in force until the application is determined.

25 Section 154 amended (Discretionary conditions on licence)

(1) Section 154(1)

omit

or renewing

15 (2) Section 154(2) to (4)

omit, insert

(2) Subject to subsection (3), a renewed licence is subject to the same conditions as the licence it replaces.

20 (3) The Commission may, at any time, in accordance with the regulations:

(a) vary or revoke a condition imposed on a licence under this section; or

(b) impose a new condition on a licence.

25 (4) If there is an inconsistency between a condition imposed by the Commission and a condition imposed by this Act or prescribed by regulation, the condition imposed by this Act or prescribed by regulation prevails to the extent of the inconsistency.

26 Section 221 amended (Lodging complaints)

(1) After section 221(1)

insert

5 (1A) A complaint in relation to a racecourse licence must be lodged with the Director.

(2) Section 221(2), after "(1)"

insert

or (1A)

(3) Section 221(3)(a) and (b)

10 *omit, insert*

(a) 60 days after the person became aware of the matter giving rise to the complaint; or

15 (b) for a complaint mentioned in subsection (1A) or (2) – any later time, up to 2 years after the matter occurred, that is allowed by the Director or Commission.

27 Section 222 amended (Investigation of complaint to Commission)

(1) Section 222, heading

omit

20 **to Commission**

(2) Section 222(1)

omit, insert

(1) The Director may:

25 (a) investigate a complaint lodged with the Director under section 221(1A); or

(b) on behalf of the Commission, investigate a complaint lodged with the Commission under section 221(2).

28 Section 222A inserted

After section 222

insert

222A Action after investigation of complaint made to Director

- 5 (1) After completing an investigation and considering any submissions received under section 222(4) in relation to a complaint lodged with the Director under section 221(1A), the Director may do any of the following:
- 10 (a) take no action over the complaint if satisfied that:
- (i) there are no grounds or evidence to justify taking action;
or
- (ii) the complaint does not warrant taking action;
- (b) issue a direction to a race club to take specified action to resolve the complaint;
- 15 (c) take disciplinary action if satisfied that there are grounds to do so.
- (2) The Director must give a decision notice of the decision or action under subsection (1) to the parties to the complaint.

29 Section 223 amended (Action after investigation)

- 20 (1) Section 223, heading, at the end

insert

of complaint made to Commission

- (2) Section 223(1)

omit

- 25 the complaint

insert

a complaint lodged with the Commission under section 221(2)

30 Section 225 replaced

Section 225

repeal, insert

225 Investigation of race club or race control body

- 5 (1) The Director may investigate a race club or race control body in relation to:
- (a) the possible commission of an offence against this Act by the race club or race control body; or
 - 10 (b) any possible grounds for disciplinary action against the race club.
- (2) After completing the investigation the Director may do any of the following:
- (a) enter into an enforceable undertaking in relation to the matter;
 - 15 (b) take disciplinary action under section 228 if satisfied that there are grounds to do so;
 - (c) issue any other notice or direction or make any other declaration available under this Act in relation to the matter.
- 20 (3) The Director must give a decision notice of the decision made under subsection (2) to the race club or race control body under investigation.

225A Investigation of licensee

- 25 (1) The Director may, on behalf of the Commission, investigate a licensee in relation to:
- (a) the possible commission of an offence against this Act by the licensee; or
 - (b) any possible grounds for disciplinary action against a licensee.
- (2) After completing the investigation, the Director must:
- (a) prepare a report on the investigation; and
 - (b) give the report to the Commission.

31 Section 227 amended (Grounds for disciplinary action)

Section 227(1)

omit, insert

- 5 (1) Each of the following is a ground for taking disciplinary action against a race club:
- (a) the race club gives incorrect or misleading information in an application under this Act;
 - (b) the race club is no longer competent to hold a racecourse licence;

10 (c) the race club contravenes this Act;

 - (d) the race club contravenes an enforceable undertaking;
 - (e) the race club fails to pay a monetary penalty previously imposed as disciplinary action within the required time.
- 15 (1A) Each of the following is a ground for taking disciplinary action against a licensee:
- (a) the licensee gives incorrect or misleading information in an application under this Act;
 - (b) the licensee is no longer eligible, qualified or competent to hold the licence;

20 (c) the licensee contravenes:

 - (i) this Act; or
 - (ii) another law relating to wagering, including a law of a State, another Territory or the Commonwealth; - (d) the licensee fails to pay a fee or levy under this Act within the required time;

25 (e) the licensee contravenes a condition or restriction on the licence;
 - (f) the licensee contravenes an enforceable undertaking;
 - (g) the licensee fails to pay a monetary penalty previously imposed as disciplinary action within the required time.
- 30

32 Section 228 amended (Disciplinary action)

(1) Section 228(1) and (2)

omit, insert

5 (1) The Director may take the following disciplinary action against a race club:

(a) cancel or suspend a racecourse licence held by the race club;

(b) disqualify the race club from holding a racecourse licence;

(c) issue a formal warning, reprimand or caution to the race club;

10 (d) require the race club to change its business practices in relation to the racecourse licence;

(e) impose on the race club a monetary penalty.

(2) The Commission may take the following disciplinary action against a licensee:

(a) cancel or suspend the licence;

15 (b) amend the conditions of the licence;

(c) disqualify the licensee from being eligible to hold a licence;

(d) issue a formal warning, reprimand or caution to the licensee;

(e) require the licensee to change its business practices or other conduct;

20 (f) impose on the licensee a monetary penalty.

(2) Section 228(3), after "The"

insert

Director or

33 Section 239 amended (Review by NTCAT)

25 (1) Section 239(1)(a)

omit, insert

(a) a direction by the Director given under section 50(1);

(ab) a decision of the Director to refuse to issue, or refuse to renew, a racecourse licence under section 56 or 56B;

(ac) a decision of the Commission to issue, refuse to issue, renew or refuse to renew a licence under section 140;

5 (2) Section 239(1)(d)

omit

under section 50(1),

insert

given under section

10 (3) Section 239(1)(h), before "Commission"

insert

Director or

34 Section 267 amended (Authority to prosecute)

Section 267, after "Commission"

15 *insert*

or a race control body appointed under section 46(1)

35 Part 14 inserted

After section 316

insert

20 **Part 14 Transitional matters for Racing and Wagering Amendment Act 2026**

317 Definitions

In this Part:

25 ***amending Act*** means the *Racing and Wagering Amendment Act 2026*.

commencement means the commencement of section 3 of the amending Act.

former, in relation to a specified provision, means the provision as in force from time to time before the commencement.

318 Application of sections 19A to 19C to sitting members

5

Each person who, on the commencement, is a member of the Commission must comply with sections 19A to 19C, as if the person had been appointed on the commencement.

319 Guidelines

10

A guideline made under former section 42 that was in effect immediately before the commencement continues to have effect as if it were made under section 42 as inserted by the amending Act.

320 Appointment of race control body

15

An appointment of a body corporate to be a race control body under former section 46(1) that was in effect immediately before the commencement continues to have effect as if it had been made under section 46(1) as inserted by the amending Act.

321 Directions and racecourse licences

20

- (1) A direction given by the Commission under former section 50 that was in effect immediately before the commencement continues to have effect as if it were given by the Director under section 50 as inserted by the amending Act.
- (2) A licence issued by the Commission under former section 56 that was in effect immediately before the commencement continues to have effect as if it were issued by the Director under section 56 as amended by the amending Act.

25

322 Transitional regulations

30

- (1) A regulation may provide for a matter of a transitional nature because of the enactment of the amending Act.
- (2) The regulation may have retrospective operation to a day not earlier than the commencement.
- (3) Despite subsection (2), to the extent to which the regulation has retrospective operation, it does not operate to the disadvantage of a person (other than the Territory or a Territory authority) by:
 - (a) decreasing the person's rights; or
 - (b) imposing liabilities on the person.

- (4) The regulation must declare it is made under this section.
- (5) A regulation that provides for a matter mentioned in subsection (1) cannot be made more than 12 months after the commencement.

36 Act further amended

5 The Schedule has effect.

Part 3 Consequential amendments

Division 1 Associations Act 2003

37 Act amended

This Division amends the *Associations Act 2003*.

38 Section 6 amended (Secrecy)

Section 6(3)(c)(vii)

omit

Territory Racing and

insert

Territory

Division 2 Racing and Wagering Regulations 2024

39 Regulations amended

This Division amends the *Racing and Wagering Regulations 2024*.

40 Regulation 5 repealed (Delegation by Commission)

Regulation 5

repeal

41 Regulation 10 amended (Renewal fees)

Regulation 10

omit

section

insert

sections 56B(2)(b) and

42 Regulation 13 amended (Annual fees)

(1) Regulation 13(a)

5 *omit*

(2) Regulation 13, note

omit, insert

Note for paragraphs (c) and (e)

10 *For these 2 licences, the application and renewal fees are sufficient payment for the term of the licence without the addition of an annual fee.*

43 Regulation 16 amended (Term of licences)

Regulation 16(1)

omit

section

15 *insert*

sections 56A(a) and

44 Regulation 19 replaced

Regulation 19

repeal, insert

20 19 Notice before varying, revoking or imposing licence conditions

(1) Before varying or revoking a condition imposed on a licence under section 154 of the Act or imposing a new condition under section 154 of the Act, the Commission must give written notice to the licensee of the proposed variation, revocation or imposition.

25 (2) The licensee may make written submissions on the proposed variation, revocation or imposition within 28 days after receiving the notice.

30 (3) Any written submissions made by the licensee under subregulation (2) must be considered by the Commission before making the variation or revocation or imposing the new condition.

- 5
- (4) As soon as practicable after making a variation or revocation or imposing a new condition, the Commission must give the licensee written notice of its decision.
 - (5) The variation, revocation or imposition takes effect on the later of the following:
 - (a) the date on which the licensee receives the notice;
 - (b) the date stated in the notice.

45 Regulation 20 amended (Reportable events)

- 10
- (1) Regulation 20(1)(g), after "commenced"
insert
or concluded
 - (2) Regulation 20(2)
omit
Director
insert
Commission
- 15

Part 4 Repeal of Act

46 Repeal of Act

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This Act is repealed on the day after it commences.

Schedule Act further amended

section 36

Provision	Amendment	
	<i>omit</i>	<i>insert</i>
sections 55(1), 56(1) and (2), 58(5) and 62(1)(b), (2), (4) and (5)	Commission (<i>all references</i>)	Director
section 62, note	whole note	
section 66, heading	Commission	Director
section 66(1) and (2),	Commission (<i>all references</i>)	Director
section 67	Chair of the Commission	Director
section 68(3) and (4)	Commission (<i>all references</i>)	Director
section 69, heading	Commission	Director
section 69	Commission (<i>all references</i>)	Director
section 70(1)(a)	, other than the Commission	
sections 71(1)(b)(i) and (ii) and 74(2)(a) and (b)	Commission	Director
section 76, heading	Commission	Director
section 76(1), (2) and (3)	Commission	Director
section 77, heading	Commission	Director
section 77(1) and (4)	Commission (<i>all references</i>)	Director

Provision	Amendment	
	<i>omit</i>	<i>insert</i>
section 77(3)	Chair of the Commission by the Commission	Director by the Director
section 88(1)	Commission	Director
Part 4, heading		related to wagering
section 119(4)	Director	Commission
section 205(1)(a)	intentionally	
section 205(1)(b)	50(1),	
section 220(2)(a), after "to the"		Director or
section 226(1)	225	225A(2)
section 226(3)	any complainant and	
sections 229(3), 230(3), 256(2) and 257(1) and (2)(e), before "Commission"		Director or
section 257(2), note	<i>Section 42 allows the Commission</i>	<i>Sections 42 and 42A allow the Director and the Commission</i>
sections 257(4) and (5), 258(3) and (5), 259(a), 260(1), 261(1) and (2)(d) and 262	Commission (<i>all references</i>)	Director or the Commission
section 268(1)(b)	50(1),	
section 268(4)	225	225A